

AMENDED IN ASSEMBLY AUGUST 31, 1998

AMENDED IN ASSEMBLY AUGUST 25, 1998

AMENDED IN ASSEMBLY JUNE 25, 1998

AMENDED IN SENATE MAY 26, 1998

SENATE BILL

No. 2108

**Introduced by ~~Senator Vasconcellos~~ Senators Vasconcellos
and Brulte**

(Principal coauthor: Senator Polanco)

*(Principal coauthors: Assembly Members Aguiar and
Migden)*

(Coauthors: Senators Lockyer, Rainey, and Rosenthal)

*(Coauthors: Assembly Members Baca, Battin, Cunneen,
Goldsmith, Granlund, Knox, Olberg, Pacheco, Scott, and
Washington)*

February 20, 1998

~~An act relating to corrections, and making an appropriation therefor.~~ *An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), relating to correctional facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 2108, as amended, Vasconcellos. Department of Corrections: Pre-Release Program *Correctional facilities.*

(1) Under existing law, the Department of Corrections is authorized to administer and operate the state prison system.

This bill would appropriate, by adding items to the Budget Act of 1998, \$71,520,000 to the department for capital outlay, and \$2,589,000 for support staff for planning, design, construction, and activation of 10 semiautonomous administrative segregation buildings, as specified. Of the first of these amounts, the bill would provide that \$760,000 may be made available for mitigation costs of local governments, and a maximum of \$760,000 for mitigation costs of school districts.

The bill also would appropriate, by adding items to the Budget Act of 1998, \$23,500,000 to the department of which \$10,000,000 would be available until December 31, 1999 only for an additional 2,000 community correctional facility beds under specified conditions. In addition, the bill would make available from this budget item all of the following: (a) \$5,500,000 to expand casework services for parolees; (b) \$1,000,000 to expand existing programs to provide inmates and parolees with comprehensive support services; (c) \$1,000,000 to enhance prerelease programs for inmates; and (d) \$6,000,000 for 3 pilot programs to assist drug-addicted female offenders, as specified.

This bill would add items to the Budget Act of 1998 to separately appropriate \$50,000,000 and \$27,000,000, for local assistance to the Board of Corrections.

(2) This bill would state that it would become operative only if AB 2321 and SB 491 are enacted and become effective on or before January 1, 1999.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law authorizes the Department of Corrections to establish and maintain classes for inmates that provide academic and industrial education, and trade and vocational training. The department is also authorized to develop and operate work programs that enable inmates to acquire and improve work habits and occupational skills, to assist inmates who have been paroled or discharged in securing employment, and to assist inmates who are addicted to controlled substances.~~

~~This bill would make legislative findings and declarations regarding criminal recidivism; inmate access to academic education, job training, counseling, and drug and alcohol~~

~~treatment and recovery; inmate job placement assistance; and coordination of services necessary to minimize recidivism.~~

~~This bill would appropriate the sum of \$2,000,000 from the General Fund to the Department of Corrections for the purpose of specified inmate training, treatment, and assistance programs.~~

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. The Legislature finds and declares that~~

SECTION 1. Item 5240-002-0001 is added to Section 2.00 of the Budget Act of 1998 (Chapter 324 of the Statutes of 1998) to read:

5240-002-0001—For support of the Department of Corrections 23,500,000
Provisions:

1. Of the amount appropriated by this item, \$10,000,000 shall be available until December 31, 1999, only for (a) an additional 2,000 beds of therapeutic drug treatment programming, including availability of aftercare treatment for an average of 150 days for 50 percent of the in-prison program graduates from the new beds, and (b) support for an average of 150 days of aftercare treatment for 50 percent of the in prison program graduates from existing drug treatment beds. The additional therapeutic drug treatment programming authorized by this provision shall be in accordance with protocols established by the Department of Corrections.

2. Of the amount appropriated in this item, \$5,500,000 is provided to expand casework services for parolees in need of assistance in their reintegration into society after their release from prison.

3. *Of the amount appropriated in this item, \$1,000,000 is provided to expand existing programs to provide inmates and parolees with comprehensive support services, including job development and job placement assistance.*

4. *Of the amount appropriated in this item, \$1,000,000 is provided to enhance prerelease programs for inmates. The programs funded with this augmentation shall focus on assistance for inmates who are deemed to be at a high risk of recidivism upon their release from prison.*

5. *Of the amount appropriated in this item, \$6,000,000 is provided for three pilot programs to assist drug-addicted female offenders as provided in Section 3054 of the Penal Code.*

SEC. 2. Item 5240-004-0001 is added to Section 2.00 of the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), to read:

5240-004-0001—For support of the Department of Corrections 2,589,000
Provisions:

1. All of the funds appropriated by this item shall be provided for support staff for planning, design, construction, and activation of the administrative segregation housing units for which an appropriation is provided in Item 5240-303-0001.

SEC. 3. Item 5240-303-0001 is added to Section 2.00 of the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), to read:

5240-303-0001—For capital outlay, Department of
Corrections 71,520,000

Schedule:

(1) Statewide: Ten administrative
segregation housing units, pre-
liminary plans, working draw-
ings, and construction 71,520,000

Provisions:

1. The funds appropriated by Schedule 1 shall be used by the department to complete design and construction of one administrative segregation housing unit at each of 10 existing correctional institutions. These 10 housing units shall have a total capacity to house 1,900 male inmates.
2. Notwithstanding any other provision of law, the net proceeds of any moneys received from the disposition of surplus property at the California Institution for Men, Chino, shall be allocated to fully or partially reimburse the General Fund for the costs of the project.
3. Funds appropriated by Schedule 1 shall be available as necessary for the purposes of site studies and suitability reports, environmental studies, master planning, architectural programming, schematics, preliminary plans, working drawings, construction, long lead, and equipment items.
4. Of the funds appropriated by Schedule 1, a maximum of seven hundred sixty thousand dollars (\$760,000) of the funds may be made available for mitigation costs of local governments, and a maximum of seven hundred sixty thousand dollars (\$760,000) of the funds may be made available to the County Superintendent of Schools for mitigation costs of school districts. These funds shall be made available pursuant to subdivisions (c) and (d) of Section 7005.5 of the Penal Code.

5. The funds appropriated by Schedule 1 shall not be used to construct any additional administrative segregation housing units on the grounds of either San Quentin State Prison or the Northern California Women's Facility.

SEC. 4. Item 5430-111-0001 is added to Section 2.00 of the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), to read:

5430-111-0001—For local assistance, Board of Corrections 27,000,000
Provisions:

1. The funds appropriated by this item shall be expended only for competitive, statewide grants to counties for the purpose of expanding orestablishing a continuum of responses to reduce crime and criminal justice costs related to mentally ill offenders. The funds shall be available only if a statute is enacted, and becomes operative on or before January 1, 1999, that establishes that program.
2. Of the amount appropriated in this item, up to \$2,000,000 shall be awarded to counties for purposes of planning and developing the continuum of responses.
3. Of the funds appropriated by this item, up to 5 percent may be transferred to Item 5430-001-0001 for expenditure by the Board of Corrections for the oversight and implementation of competitive, statewide grants to counties pursuant to Provision 1. The funds to be allocated under this provision shall be available only if a statute is enacted and becomes operative on or before January 1, 1999, that establishes that program.
4. Notwithstanding any other provision of law, the funds appropriated by this item shall be available for expenditure until December 31,

2004.

SEC. 5. Item 5430-112-0001 is added to Section 2.00 of the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), to read:

5430-112-0001—For local assistance, Board of Corrections 50,000,000

Provisions:

1. The funds appropriated by this item shall be expended only for the Juvenile Crime Enforcement and Accountability Challenge Grant Program, pursuant to Article 18.7 (commencing with Section 749.2) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code.

2. Of the funds appropriated by this item, up to 5 percent may be transferred to Item 5430-001-0001 for expenditure by the Board of Corrections for the oversight and implementation of the Juvenile Crime Enforcement and Accountability Challenge Grant Program.

3. Notwithstanding any other provision of law, the funds appropriated by this item shall be available for expenditure until June 30, 2004.

SEC. 6. This act shall become operative only if Assembly Bill 2321 and Senate Bill 491 of the 1997-98 Regular Session are enacted and become effective on or before January 1, 1999.

SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

It is estimated that the California prison system will run out of capacity to house the anticipated population growth by mid-2000. In order to have the critically

1 *needed prison beds available, it is essential that this act*
2 *take effect immediately.*

3 ~~it is a goal of the state correctional system to break the~~
4 ~~cycle of criminal recidivism. In order to reduce the~~
5 ~~likelihood that a parolee will commit new offenses upon~~
6 ~~release from confinement, it is incumbent on the~~
7 ~~correctional system to provide access to, and make every~~
8 ~~effort to ensure that inmates avail themselves of,~~
9 ~~academic education, job training, counseling, and when~~
10 ~~necessary, drug and alcohol treatment and recovery.~~
11 ~~Moreover, it is critical that inmates receive job placement~~
12 ~~assistance at the time of release. It is the intent of the~~
13 ~~Legislature that this act serve as a model for the~~
14 ~~coordination of services necessary to minimize~~
15 ~~recidivism.~~

16 ~~(a) The sum of two million dollars (\$2,000,000) is~~
17 ~~appropriated from the General Fund to the Department~~
18 ~~of Corrections for the purpose of inmate training,~~
19 ~~treatment, and assistance programs, as follows:~~

20 ~~(1) Five hundred thousand dollars (\$500,000) for the~~
21 ~~Pre-Release Program.~~

22 ~~(2) Five hundred thousand dollars (\$500,000) for the~~
23 ~~Jobs Plus Program.~~

24 ~~(3) Five hundred thousand dollars (\$500,000) for the~~
25 ~~Reducing Recidivism Program (Amity Foundation of~~
26 ~~California).~~

27 ~~(4) Five hundred thousand dollars (\$500,000) for the~~
28 ~~Preventing Parolee Failure Program.~~

29 ~~(b) It is the intent of the Legislature that any funding~~
30 ~~appropriated in addition to the funds appropriated in this~~
31 ~~section shall be contingent upon a 1999-2000 Budget Act~~
32 ~~appropriation.~~

